

The State Board of Education/State Board for Vocational Education held its regular meeting on Thursday, August 15, 2013, in the Cabinet Room of the John G. Townsend Building, Dover, Delaware.

Present were: Teri Quinn Gray, President; Jorge L. Melendez, Vice President; Gregory B. Coverdale, Jr.; Randall L. Hughes, II; Barbara B. Rutt; Terry M. Whittaker; and Mark T. Murphy, Executive Secretary and Secretary of Education. Donna R. Johnson, who serves as the State Board's Executive Director, was also present.

Also in attendance were Ilona Kirshon, Deputy Attorney General and legal counsel for the State Board of Education; David Blowman, Deputy Secretary of Education; Karen Field Rogers, Associate Secretary, Financial Reform and Resource Management; Michael Watson, Chief Academic Officer, Teaching and Learning; and Mary Kate McLaughlin, Chief of Staff.

Attending portions of the meeting in conjunction with agenda items: Brian Touchette, Christopher Ruszkowski, April McCrae, Deb Hansen, Tonyea Meade, John Moyer, Liru Zhang, Don Beers, Atnre Alleyne and John Carwell.

Also attending: Catherine Hickey, Deputy Attorney General; Alexandra Leach, SBE Intern; Sue Francis, Delaware School Boards Association (DSBA); Sara Croce, Budget Office; Donna Mitchell, Professional Standards Board; Kendall Massett, Delaware Charter School Network; G. Scott Reihm, Delaware Association of School Administrators; Matt Albright, News Journal; Gail Longo, Manera Constantine, Delaware Advisory Council on Career and Technical Education (DACCTE), Jonathan Kirch, American Heath Association; Evan Queitsch, Delaware Education Reform Coalition; Ryan Carpenter, Wilmington University; Tim Lloyd, Wilmington University; Keith Stephenson, New Moyer Academy; Bebe Coker, New Moyer Academy; Chris Curry; New Moyer Academy; Rev. Silvester Beaman, New Moyer Academy; and Alison May.

### **Call to Order**

President Gray presided over the monthly meeting and called the meeting to order at 1:01 p.m. She welcomed all guests to the State Board's monthly public meeting.

### **Approval of Agenda**

The first order of business was approval of the agenda. There were no changes to the agenda. A motion was made by Mr. Melendez to approve the agenda as presented. The motion was seconded by Mr. Coverdale and carried with the following vote recorded:

Ayes:	Nays:	Not Present At Time of Vote:
Dr. Gray	None.	Dr. Whittaker
Mr. Melendez		
Mr. Coverdale		
Mr. Hughes		
Mrs. Rutt		

### **Approval of Minutes**

#### Regular Meeting – July 18, 2013

The Board received a copy of the regular meeting minutes prior to the meeting. Dr. Gray asked if there were any changes or additions to the minutes. A motion was made by Mr. Coverdale to approve the minutes of the State Board regular meeting held on July 18, 2013 as presented. The motion was seconded by Mr. Melendez and carried with the following vote recorded:

Ayes:	Nays:	Not Present At Time of Vote:
Dr. Gray	None.	Dr. Whittaker
Mr. Melendez		
Mr. Coverdale		
Mr. Hughes		

Mrs. Rutt abstained as she was not present at the July meeting.

### **Formal Public Comment**

It was indicated that this was the time the Board set aside for formal public comment. President Gray announced that four individuals signed up to address the State Board. She stated that the Board would not respond to questions or engage in dialogue but may respond in writing to a person or group.

Gail Longo spoke in support of Regulation 851 which includes cardiopulmonary resuscitation (CPR) awareness and use of an automated external defibrillator (AED) and awareness of organ/tissue donating in high school. Ms. Longo is an educator and parent and spoke from personal experience when her son went into cardiac arrest after being hit by a ball in the chest. She told how bystanders performed CPR until medics arrived and had to use an AED. Ms. Longo noted that there is no substitution for this type of hands on training that can save lives.

Jennifer Merrill spoke in support of the amendment to Regulation 501 State Content Standards to adopt the Next Generation Science Standards (NGSS) as the content

standards for science. She noted the importance of the standards and how they will challenge Delaware teachers and our children. She applauded the development of these standards.

Jonathan Kirch from the American Heart Association also spoke in support of Regulation 851. He expressed his sincere appreciation for the change in the health Education Program to include the awareness for CPR and AED.

Evan Queitsch from the Delaware Education Reform Coalition spoke of his concerns on the rush to adopt the Next Generation Science Standards while the Common Core Standards have not been fully implemented. He commented that in its recent publication, the Fordham Institute gave the Next Generation Science Standards a “C” rating and gave the same rating to Delaware’s current standards. Mr. Queitsch noted that California and Massachusetts received much higher ratings. He expressed concerns over the cost of implementing the NGSS and the need to address larger concerns in relation to education reform like class size, multiple pathways to a diploma and certificated vocational training.

## **State Board Business**

### **Committee Reports from State Board Members**

Mr. Melendez attended the Department’s town meeting in Georgetown that discussed the Next Generation Science Standards. He noted that community members in attendance received a better understanding about the Next Generation Science Standards.

Dr. Gray spoke of her meeting with the education leadership interns and the great potential for them to be future leaders. She commented that the core concept of discussion was there is no leadership without followers.

Dr. Gray noted that she attended several STEM Council meetings including the launching of the STEM Council website. She also highlighted the sessions she attended at the NASBE Annual Conference including a session by James Gates from the University of Maryland on the Next General Science Standards. Dr. Gray announced that Delaware contributes to the leadership of NASBE as Mr. Hughes serves on the NASBE Board of Directors and Ms. Johnson is the current president of NCSBEE which is an affiliate organization for state board executive directors. In that position, Ms. Johnson will also serve on the NASBE Board.

Dr. Gray also attended a Tech Ed event and highlighted Google glasses and remarks by Raye Jones Avery. Dr. Gray is also scheduled to be a speaker for the Delaware Bioscience Association on October 3, 2013.

Ms. Johnson noted the many links to articles available to the Board and the public on her report this month. Also included are links to the presentations from the NASBE conference. Ms. Johnson highlighted the sessions she attended at the conference and her meeting with Senator Coons. She also attended an event launching the 87'ers which is affiliated with the Philadelphia 76'ers and she also attended the regular monthly meeting of the Capital School District Board of Education.

## Budget

Mr. Melendez, chair the State Board Budget Committee presented the Board's 2013-2014 budget which includes funding for an intern next summer as well as technology upgrades. A motion was made by Mr. Hughes to approve the State Board's for 2013-2014 as presented. The motion was seconded by Dr. Whittaker and carried with the following vote recorded:

Ayes:                      Nays:

Dr. Gray	None.
Mr. Melendez	
Mr. Coverdale	
Mr. Hughes	
Mrs. Rutt	
Dr. Whittaker	

Mr. Melendez also acknowledged Alexandra Leach. Ms. Leach has served as the State Board's intern and is returning to school next week.

# Career and Technical Education State Plan

Ms. Johnson explained that Career and Technical Education Plan has been presented to the Board and two public hearings were conducted for public comment. She noted that no comments were presented at the hearings and no written comments have been received. Some amendments were made to the plan and the final plan has been posted for the Board's review. Changes to the plan comply with Senate Bill 103 which establishes the State Board as the eligible agency for the State's Career and Technical Education Plan, Perkins IV. These changes also bring the plan into federal compliance.

Dr. Gray provided the following background information. SB 103, relating to Career and Technical Education, was signed by the Governor on July 1<sup>st</sup> and amends 14 *Del. C.* § 3310 and 14 *Del. C.* § 104(b), clarifying that the State Board is the Eligible Agency and sole agency responsible for the supervision of administration of career and technical education under the federal Perkins Career and Technical Education Act of 2006 (Perkins IV).

Public hearings were held on July 18<sup>th</sup> and July 31<sup>st</sup> to give the public opportunities to comment on the State Plan, which has been posted on both the Department and State Board websites. Transcripts of these hearings are also posted on the website. I note that there was no public comment on the State Plan.

The State Plan is the basis for State operation of the Career and Technical Education program, and has been revised to meet the requirements of the U.S. Department of Education by naming the SBE as the eligible agency responsible for supervision of administration of the Plan. The Plan also authorizes delegation of the actual administration of the plan to the Department.

A motion was made by Mrs. Rutt to adopt the State Plan for funding under the Perkins Career and Technical Education Act of 2006, as described, and to ratify all actions taken thus far by the Department to implement the State Plan. The motion was seconded by Mr. Coverdale and carried unanimously with the following vote recorded:

Ayes:	Nays:
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Dr. Gray	None.
Mr. Melendez	
Mr. Coverdale	
Mr. Hughes	
Mrs. Rutt	
Dr. Whittaker	

The Board signed the appropriate Order.

### **Report from State Board Intern**

Alexandra Leach, a graduate student in the Public Administration program at University of Delaware, served as the State Board's intern for the summer. She highlighted her scope of work that included a document on common core legislation tracking from other states. She also developed two policy briefs, one on charter school closure protocol and one on teacher licensure and certification. She will continue researching the teacher licensure brief in the fall as a part of one of her graduate courses. Ms. Johnson stated that the teacher licensure brief focuses on reading strategies and assessments and Ms. Leach would like to present it to the Board once it is completed.

### **Secretary's Report, Review and Discussion**

Secretary Murphy thanked the Board for its support in attending the information sessions conducted on the Next Generation Science Standards. There were five sessions and the total attendance varied but it was an excellent opportunity for the public and community

to understand these standards and engage in a conversation on how these standards will be beneficial to Delaware's students.

Mr. Murphy commented on the internships the Department held over the summer. There were nine participants of early career educators and students. Each was assigned a project of policy work. The participants also participated in leadership courses that focused on leadership challenges.

Secretary Murphy announced that the Department would be allocating funding for innovative education initiative grants. Seventy applications were received from schools, districts and teachers. Scoring is now underway for these competitive grants and will be announcing the recipients next week. The Department hopes to share and replicate effective programs.

### **STEM Council Presentation**

Co-chairs of the STEM Council, Judson Wagner and Teri Quinn Gray, presented the work of the Council for the past two years. Mr. Wagner noted STEM education is very complex and that the Council started with small steps but is now making great strides. STEM is a global buzzword and the acronym for Science, Technology, Engineering and Mathematics. We must be more considerate of how we are teaching students today for jobs that have not been invented.

The STEM Council consists of 25 members and the vision of the STEM Council is that Delaware will be leader in STEM education where students are prepared and inspired to use innovation and creative problem solving to excel in the global society. The vision is aligned to its mission to work with educators, legislators, and business and community leaders to foster science, technology, engineering and mathematics education in Delaware. The Council's goals are to expand the number of Delaware students and broaden the participation of women and minorities in STEM careers, expand the STEM capable workforce to create, grow and attract businesses to Delaware and to increase STEM literacy for all Delaware students including those not pursuing non-STEM careers.

Dr. Gray noted the various aspects of education and the occupations that are STEM related. She explained that the members are all volunteers and all have other jobs in various professions: higher education, state government, business, parents, and others. The STEM Council wants to catalyze, connect and communicate Pre K-12 education, the workforce, businesses and higher education. Highlights from the past eighteen months were presented including the launch of the STEM Council website and the July event for STEM advocates, which was an educational and sharing event to promote community participation and build input for the web content. Delaware Technical and Community College is also producing a study on STEM professions and future workforce market demand. Dr. Gray introduced other STEM Council members that were present: April

McCrae and Donna Johnson. She noted that copies of the 2012-2013 report were available.

There was discussion that followed on including the arts in sciences, music in mathematics as well as how parents were represented on the Council. There was also discussion on the Council's position regarding the Next Generation Science Standards.

The Board recessed at 2:25 p.m. for a brief break. The meeting was reconvened at 2:36 p.m.

### **Accountability Resources – DCAS Alt 1 and End of Course**

Brian M. Touchette, Director, Accountability Resources, stated he would be presenting results from the DCAS Alt 1, End of Course results and information on standard setting for Integrated Math III and Algebra II.

The Board was reminded that DCAS Alt 1 is a collection of tasks organized around a story or activity and there is clear progression from one item to the next. Each task has four to six items and testing is done on a one on one basis. The DCAS Alt 1 is the assessment tool for approximately 1% of Delaware's student population or about 1,100 students. These students also have a wide range of abilities which is why DCAS Alt 1 has different starting points. Students are assessed in Grades 3-10 in Reading and Math, Grades 3, 8 and 10 for Science and Grades 4, 7 and 9 for Social Studies. Mr. Touchette shared the proficiency percentages of DCAS Alt 1 students along with a comparison from Spring 2012 and Spring 2013. Reading showed an increase in all Grades except for Grades 3, 6 and 10. Math showed a steady progression from Grade 3 through Grade 8 and then a shift down for Grade 9 and 10. DCAS Alt 1 scores in Science decreased in Grade 5 and 10 but showed an increased in Grade 8 in the percentage proficient. Social Studies had a decrease in Grade 4 and 7 but an increase in Grade 9. Mr. Touchette also commented that due to the low N counts, percentages shift. There was discussion on the transition of these students after they finished their schooling at age 21.

Mr. Touchette shared End of Course assessment results. He showed a two year comparison for U.S. History for Grades 9 through Grade 12. Most schools assess U.S. History in Grade 11. Steady gains were showed in all four grades. U.S. History is one of two required End of Course assessments. The other is an option between Integrated Math III or Algebra II. He presented the number of students participating for other optional End of Course assessments which have decreased as these assessments are now not required and some of which are redundant with DCAS. Next year ELA, Algebra I, and Integrated Math I will be discontinued as these areas are part of DCAS and these End of Course assessments are not Common Core aligned. Biology will continue as it is different from the Grade 10 DCAS Science assessment but will be voluntary. Integrated Math III and Algebra II which are Common Core aligned will be required for the

upcoming year. Mr. Touchette noted that the Department is developing a new four year assessment plan that will be shared with the Board.

Standard setting for the end of course assessments for Algebra II and Integrated Math III took place this summer. Mr. Touchette highlighted the standard setting workshop and how the panelists reached the below recommendations.

Course	Performance Standard in Scaled Score Metric		
	Below Standard	Meets Standard	Advanced
Algebra-II	385	400	435
Integrated Math III	386	400	435

Mr. Touchette provided the data on the percentage of students in each of four proficiency levels using the recommended cut scores of the panelists. These performance standards will be recommended for approval at the Board's September meeting.

### **DPAS II Annual Evaluation**

Don Beers from the Progress Education Corporation presented the results of the DPAS II Evaluation for 2013. He was joined by Department staff, Christopher Ruszkowski and Atnre Alleyne. Mr. Beers provided a brief overview of the evaluation that began in 2006 as a pilot in three districts. In 2008-2009, over 10,000 survey invitations were sent which was the first year of full implementation. Response rate was about 40% with most respondents grading DPAS II with a "B". This year for the first time the average grade has dropped to a "C" and the response rate of 46%. Findings include that teachers and specialists value peer and administrator observations while administrators value walkthroughs. Dr. Beers stated that 70% of the respondents believe that DPAS II is one of the significant drivers of student achievement. He also provided the Board with some of the comments by teachers that focused on have a single sign on for all databases to decreasing the amount of paperwork in Component V. There were also comments on increasing communication and training and having consistent communication and training. Specialists wished Performance Plus was more user-friendly and would like to see more training on analysis. Administrators would like to see the amount of paperwork



decrease for the whole process and ensuring that the databases are ready July 1. Dr. Beers thanked Mr. Ruszkowski and his staff for their assistance in administering the survey.

There was discussion by the Board members on goal setting and better communication to teachers.

Dr. Gray excused herself at this time and left the meeting for another commitment. Mr. Melendez, State Board Vice President, presided over the remainder of the meeting.

### **Department of Education Regulations**

Mary Kate McLaughlin presented the Department's regulations. She was joined by Michael Watson, Chief Academic Officer, April McCrae, John Moyer, Tonyea Mead and Deb Hansen.

#### **Regulation 851 K to 12 Comprehensive Health Education Program (For Discussion)**

The Secretary of Education is seeking the consent of the State Board of Education to amend 14 DE Admin. Code 851 K to 12 Comprehensive Health Education Program to require cardiopulmonary resuscitation (CPR) awareness and use of an automated external defibrillator (AED) and awareness of organ/tissue donating in high school. It would be at the discretion of the district or charter school the high school grade level each would be provided and the curricular materials to be used. The addition of these curricular areas would commence in schools no later than the 2014-2015 school year. The Department will work with the districts and schools to identify potential curricular resources that may be used. All public comment will be shared with the State Board next month when the amendment is on the agenda for approval.

There was discussion of if students would be awarded certification and it was noted that the regulation was geared more toward awareness.

#### **Regulation 501 State Content Standards (For Discussion)**

The Secretary of Education is seeking the consent of the State Board of Education to amend 14 DE Admin. Code 501 State Content Standards to adopt the Next Generation Science Standards (NGSS) as the content standards for science. The NGSS were developed in partnership with 26 states, including Delaware. The timeline for full implementation, including aligned curriculum and assessments, will be developed by the Department. The Department recognizes the need to update the science standards, but is also cognizant of the processes and work needed to ensure the professional development, alignment of curriculum and assessments are done in a structured manner.

The public meetings that provided information on the Next General Science Standards were highlighted. It was noted that these standards were more rigorous and have a more in-depth focus of knowledge. There was also discussion on other states that have adopted the standards as well as comparison of states on the Fordham Report.

Mr. Watson stated that the standards will be very helpful for Delaware students but would not have any impact on local district/charter control. The standards could also be amended and revised in the future. Board members asked if teachers and instructors would be given the tools and professional development they need to teach to these standards. The Department has developed a three year implementation plan for these standards. Some of those decisions will be district decisions. The Science Coalition will be assisting in these endeavors and it is a collaborative effort with the Department.

The public comment period ends on September 5<sup>th</sup>. All comments will be shared with the State Board next month when the regulation amendment will be on the agenda for action.

#### Regulation 917 Accelerated Academic Programs (For Discussion)

The Secretary of Education is seeking the consent of the State Board of Education to add a new regulation to be identified as 14 DE Admin. Code 917 Accelerated Academic Programs. Senate Bill 27 of the 147<sup>th</sup> General Assembly created a new program of start-up grants to public schools for the purpose of initiating new programs to offer specialized educational services to students who are capable of performing accelerated academic work, or renewing existing programs of the same description whose funding sources are expiring. Senate Bill 27 expressly requires the Department of Education to promulgate regulations creating an explicit formula for evaluating proposals for these grants, and this proposed regulation is promulgated to comply with that statutory requirement. The criteria outlined in this proposed regulation are those required by Senate Bill 27. Any public comment received on this amendment will be shared with the State Board next month as the amendment will be on the agenda for action.

Mrs. Rutt complimented staff for the consensus of the Task Force. Mrs. Rutt represented the State Board on the Task Force. There was discussion on identification. The rubric for identification is currently being developed and communications will continue. Ms. Hansen noted that there is some funding available and it is hoped to have these regulations in place now.

Ms. Johnson informed the Board members that they would receive copies of all comments made.

#### **Charter Schools**

John Carwell, from the Charter Schools Office, and Chief of State Mary Kate McLaughlin presented the charter school items.

Minor Modifications (For Information)

Mr. Carwell noted that both Gateway Lab School and Odyssey Charter submitted a minor modification request. Gateway requested to alter and enhance its location and Odyssey requested to add modular structures to their site. Secretary Murphy has approved the requests.

Charter Schools Update (For Information)

Mr. Carwell noted that the charter office has been working through and completing the 2011-2012 performance review reports. All schools have received their academic performance but the financial and organization framework are needed for charter schools to complete the new performance agreement. Eleven schools that had a condition for a new performance agreement aligned to the performance framework were provided their reports on August 1<sup>st</sup>. The remaining ten schools will receive their report this week. Mr. Carwell stated that the 2012-2013 performance review reports will be distributed in September or October so the schools can complete their annual reports which are due December 1<sup>st</sup>. Ms. Johnson stated she was assured by Department staff that the Board would receive all of the completed performance review reports prior to its next meeting.

Mr. Carwell stated that the new performance agreements for the first eleven schools will be on the Board's agenda next month for action with the remaining schools following the following month. Ms. Johnson noted that the first eleven schools were prioritized as they had a condition to enter into a performance agreement that was aligned to the performance framework. She also stated that the Board would have a work session prior to its September meeting for a more in depth look at and review of performance agreements and proposed changes to regulations as a result of HB165.

Mr. Carwell reviewed the charter renewal timeline. There are four schools coming up for renewal this fall: Newark Charter School, Positive Outcomes Charter School, Reach Academy, and Kuumba Academy. Applications are due the end of September. A workshop was conducted by the Charter School Office for these schools on the renewal application, performance agreement and new annual report. Final recommendations on these renewals are expected at the Board's November meeting. He noted that in an effort to streamline the process the review timeline has been reduced from 90 working days to 30 working days. This was one of the changes brought about in HB165. Ms. Johnson stated that to comply with the new review process, the State Board has changed the date of its November meeting to November 12<sup>th</sup>.

Update on Moyer Academy

Ms. McLaughlin provided the update. At last month's meeting, the modification request of the school to reduce its enrollment and make curriculum modifications was not

approved. Since that time the Department has been meeting with the school on these compliance issues and a correction action plan has been put in place. Monitoring will occur in September and October. The Department is also reviewing documents on the purchase of the school's building. There was discussion on the curriculum changes, changes to the school's staff and if the school needed to resubmit its modification request to be in compliance with its charter. At this point the school's curriculum has not been aligned to state standards and any changes to their approved curriculum would need to be done by a modification to their charter. Since their modification was denied, a modification to their curriculum would be a new modification and would start at the beginning of that process again.

### **Professional Standards Board**

Dr. Donna Mitchell, Executive Director of the Professional Standards Board presented one amended regulation for action. Before she began though she commented that she wanted to thank Alex, the State Board's intern for her work this summer. Ms. Mitchell noted how proud she was of Alex and commented that she was Alex's principal at Middletown High School when she graduated.

### **Praxis II Test Approval – 5551 Health Education**

The Professional Standards Board is seeking the approval of the State Board of Education for recently rescaled Praxis II test to provide a new version of the Health Education test. This new test will be offered in a computer-delivered format and the new test code will be 5551. The new test covers the same content as the previous test. However, scores are reported on a different scale, adjusting the cut score to 162 (from 160). All scores for discontinued tests are reportable for 10 years from the date the test was taken. The following Praxis II test is before the Board for approval: 5551 Health Education.

A motion was made by Mr. Hughes to approve the rescaled Praxis II Health Education test, test code 5551. The motion was seconded by Dr. Whittaker and carried unanimously with the following vote recorded:

Ayes:	Nays:	Not Present at Time of Vote:
Mr. Melendez	None.	Dr. Gray
Mr. Coverdale		
Mr. Hughes		
Mrs. Rutt		
Dr. Whittaker		

The Board signed the appropriate Order.

Praxis Text Approval – 5031 Elementary Education and  
5021 Education of Young Children

The Professional Standards Board discussed two Content areas assessments that are being considered as certification assessments for Regulation 1520. The Professional Standards Board is discussing the addition of the Elementary Education Content Assessment(s) (5031) for Teachers of Early Childhood – Regulation 1520. Candidates would take both 5031 and 5021 – Education of Young Children. This additional assessment will provide those teacher candidates pursuing certification Birth to Grade 2 the opportunity to be Highly Qualified to teach grades K-2. This aligns with the assessments required for Teachers of Elementary students – regulation 1521.

The following Praxis II tests are being further evaluated before presentation to the Board for approval:

5031 – Elementary Education – Multiple Subjects

5021 – Education of Young Children (both req for Reg. 1520)

Action on this test approval may be presented to the State Board at its next meeting.

**Appeals and Reviews**

Ilona Kirshon, Deputy Attorney General and legal counsel for the State Board of Education stated that there were four items under Appeals and Reviews; three items for information and one for action.

Since school disciplinary matters are confidential the Board entered into Executive Session pursuant to 29 *Del. C.* § 10004(b)(7). The motion was made by Mr. Coverdale, seconded by Mrs. Rutt and carried unanimously with the following vote recorded:

Ayes:	Nays:	Not Present at Time of Vote:
Mr. Melendez	None.	Dr. Gray
Mr. Coverdale		
Mr. Hughes		
Mrs. Rutt		
Dr. Whittaker		

The Board went into Executive Session at 5:17 p.m. The Board returned to open session at 5:30 p.m. on Mr. Coverdale's motion which was seconded by Mr. Hughes and carried unanimously with the following vote recorded:

Ayes:	Nays:	Not Present at Time of Vote:
Mr. Melendez Mr. Coverdale Mr. Hughes Mrs. Rutt Dr. Whittaker	None.	Dr. Gray

D.F. v. Smyrna School District Board of Education (2013-06)

It was noted that this is a student disciplinary appeal of a 180 day expulsion and placement in an alternative school. The hearing officer submitted a proposed decision and exceptions have been filed with the Board.

A motion was made by Mrs. Rutt that having read and considered the record of the proceedings below, including the hearing transcript, any submissions to the hearing officer and exceptions filed, the Proposed Order of the Hearing Officer be adopted and accepted as the decision of the district as the Decision and Order of the State Board of Education. The motion was seconded by Mr. Hughes and carried unanimously with the following vote recorded:

Ayes:	Nays:	Not Present at Time of Vote:
Mr. Melendez Mr. Coverdale Mr. Hughes Mrs. Rutt Dr. Whittaker	None.	Dr. Gray

The Board signed the appropriate Order.

Ms. Kirshon provided an update on the appeals listed for information.

**Information Items**

Mr. Melendez noted the information items listed on the Board's agenda. He also reminded the Board members that the November Board meeting has been moved to November 12<sup>th</sup>. Mr. Melendez noted that he was sorry to hear that Ms. Taber had resigned but extended best wishes as she pursues her Master's Degree at Stanford. Ms. Johnson stated that Lindsay O'Mara who will be replacing Ms. Taber will be joining the State Board for lunch in September.

## **Adjournment**

There being no further business, a motion was made by Dr. Whittaker to adjourn the meeting. The motion was seconded by Mr. Coverdale and carried unanimously. The meeting adjourned at 5:33 p.m.

Respectfully Submitted;

Mark T. Murphy, Executive Secretary  
and Secretary of Education

An audio of the entire meeting is available on the State Board's website at:  
<http://www.doe.k12.de.us/infosuites/ddoe/sbe/default.shtml>

## **Executive Session**

### **Appeals and Reviews**

Ilona Kirshon, Deputy Attorney General and legal counsel for the State Board of Education stated that there were four items under Appeals and Reviews; three items for information and one for action.

Since school disciplinary matters are confidential the Board entered into Executive Session pursuant to 29 *Del. C.* § 10004(b)(7). The motion was made by Mr. Coverdale, seconded by Mrs. Rutt and carried unanimously with the following vote recorded:

Ayes:	Nays:	Not Present at Time of Vote:
Mr. Melendez Mr. Coverdale Mr. Hughes Mrs. Rutt Dr. Whittaker	None.	Dr. Gray

The Board went into Executive Session at 5:17 p.m.

The Board discussed the appeal with Ilona Kirshon, Deputy Attorney General and State Board of Education legal counsel.

The Board returned to open session at 5:31 p.m.

Respectfully Submitted;

Mark T. Murphy, Executive Secretary  
and Secretary of Education